**NOMURA** 

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14 October 2010

The Chambers of The Honorable James M. Peck Courtroom 601 One Bowling Green New York, New York 10004 **USA** 

Dear Sir.

I am writing following a Notice issued by the United States Bankruptcy Court, Southern District of New York which I received this week.

I object that my case is being classified as "Disallowed & Expunged" as I filed the claim on 18 September 2009 which was well within the deadline of 22 September 2009 set forth in the Bankruptcy Court's July 2, 2009 chapter 11 cases (the "Bar Date Order") [Docket No. 4271].

For ease of reference I attach a copy of the said Notice and a copy of may claim dated 18 September 2009.

The following are details which may assist with your consideration of my Objection:

Claim No:

36443

Chapter 11 Case No: 08-13555 (JMP)

Debtor:

Lehman Brothers Holdings Inc.

Contact details:

Postal Address

30/F Two International Finance Centre

8 Finance Street, Central

Hong Kong

Tel:

+852 6278 2957

Fax:

+852 2252 1957

Email james.quismorio@nomura.com

Yours faithfully,

James P Quismorio

U.S. BANKRUPTCY COURT, SDNY

08-13555-mg Doc 12130 Filed 10/15/10 Entered 10/19/10 14:54:17 Main Document Pg 2 of 5

INITED	STATES	BANK	RUPTCY	COURT
SOUTHE	RN DIST	RICT	OF NEW	YORK

In re

Chapter 11 Case No.

LEHMAN BROTHERS HOLDINGS INC., et al.,

08-13555 (JMP)

Debtors.

(Jointly Administered)

LBH OMNI41 09-13-2010 (MERGE2,TXNUM2) 4000083415 MAIL ID \*\*\* 0033298540 \*\*\* BSIUSE: 177

QUISMORIO, JAMES 1738 VIA DEL REY SOUTH PASADENA, CA 91030

## THIS IS A NOTICE REGARDING YOUR CLAIM(S). YOU MUST READ IT AND TAKE ACTION IF YOU DISAGREE WITH THE OBJECTION.

## IF YOU HAVE ANY QUESTIONS ABOUT THIS NOTICE OR THE OBJECTION, PLEASE CONTACT DEBTORS' COUNSEL, JOHN O'CONNOR, ESQ., AT 214-746-7700.

## NOTICE OF HEARING ON DEBTORS' FORTY-FIRST OMNIBUS OBJECTION TO CLAIMS (LATE-FILED CLAIMS)

	LAIM TO BE DISALLOWED & E	36443	
Creditor Name and Address: QUISMORIO, JAMES 1738 VIA DEL REY	Date Filed:	10/5/2009	
SOUTH PASADENA, CA 91030	Debtor:	No Debtor Asserted	
	Classification and Amount:	UNSECURED: \$ 0.00 UNLIQUIDATED	
• . •			

PLEASE TAKE NOTICE that, on September 13, 2010, Lehman Brothers Holdings Inc. and certain of its affiliates (collectively, the "<u>Debtors</u>") filed their Forty-First Omnibus Objection to Claims (Late-Filed Claims) (the "<u>Objection</u>") with the United States Bankruptcy Court for the Southern District of New York (the "<u>Bankruptcy Court</u>").

The Objection requests that the Bankruptcy Court expunge, reduce, reclassify, and/or disallow your claim(s) listed above under CLAIM(S) TO BE DISALLOWED & EXPUNGED on the ground that said claims(s) violate the Bankruptcy Court's July 2, 2009 order setting forth the procedures and deadlines for filing proofs of claim in these chapter 11 cases (the "Bar Date Order") [Docket No. 4271], as they were filed after the September 22, 2009 bar date. Any claim that the Bankruptcy Court expunges and disallows will be treated as if it had not been filed and you will not be entitled to any distribution on account thereof.

If you do NOT oppose the disallowance, expungement, reduction or reclassification of your claim(s) listed above under CLAIM(S) TO BE DISALLOWED & EXPUNGED, then you do NOT need to file a written response to the Objection and you do NOT need to appear at the hearing.

If you DO oppose the disallowance, expungement, reduction or reclassification of your claim(s) listed above under CLAIM(S) TO BE DISALLOWED & EXPUNGED, then you MUST file with the Court and serve on the parties listed below a

A list of the Debtors, along with the last four digits of each Debtor's federal tax identification number, is available on the Debtors' website at http://www.lehman-docket.com.

written response to the Objection that is received on or before 4:00 p.m. Prevailing Eastern Time on October 18, 2010 (the "Response Deadline").

Your response, if any, must contain at a minimum the following: (i) a caption setting forth the name of the Bankruptcy Court, the names of the Debtors, the case number and the title of the Objection to which the response is directed; (ii) the name of the claimant and description of the basis for the amount of the claim; (iii) a concise statement setting forth the reasons why the claim should not be disallowed, expunged, reduced, or reclassified for the reasons set forth in the Objection, including, but not limited to, the specific factual and legal bases upon which you will rely in opposing the Objection; (iv) all documentation or other evidence of the claim, to the extent not included with the proof of claim previously filed with the Bankruptcy Court or provided to the Debtors in response to the Derivative Questionnaire and/or Guarantee Questionnaire (as defined in the order, dated July 2, 2009, establishing the deadline for filing proofs of claim, approving the form and manner of notice thereof and approving the proof of claim form [Docket No. 4271]), upon which you will rely in opposing the Objection; (v) the address(es) to which the Debtors must return any reply to your response, if different from that presented in the proof of claim; and (vi) the name, address, and telephone number of the person (which may be you or your legal representative) possessing ultimate authority to reconcile, settle, or otherwise resolve the claim on your behalf.

The Bankruptcy Court will consider a response only if the response is timely filed, served, and received. A response will be deemed timely filed, served, and received only if the original response is actually received on or before the Response Deadline by (i) the chambers of the Honorable James M. Peck, One Bowling Green, New York, New York 10004, Courtroom 601; (ii) attorneys for the Debtors, Weil Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153 (Attn: Shai Waisman, Esq.); (iii) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21st Floor, New York, New York 10004 (Attn: Andy Velez-Rivera, Esq., Paul Schwartzberg, Esq., Brian Masumoto, Esq., Linda Riffkin, Esq., and Tracy Hope Davis; Esq.); and (iv) attorneys for the official committee of unsecured creditors appointed in these cases, Milbank, Tweed, Hadley & McCloy LLP, 1 Chase Manhattan Plaza, New York, New York 10005 (Attn: Dennis F. Dunne, Esq., Dennis O'Donnell, Esq., and Evan Fleck, Esq.)

A hearing will be held on October 27, 2010 to consider the Objection. The hearing will be held at 10:00 a.m. Prevailing Eastern Time in the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004, Courtroom 601. If you file a written response to the Objection, you should plan to appear at the hearing. The Debtors, however, reserve the right to continue the hearing on the Objection with respect to your claim(s). If the Debtors do continue the hearing with respect to your claim(s), then the hearing will be held at a later date. If the Debtors do not continue the hearing with respect to your claim(s), then a hearing on the Objection will be conducted on the above date.

If the Bankruptcy Court does NOT disallow, expunge, reduce or reclassify your claim(s) listed above under CLAIM(S) TO BE DISALLOWED & EXPUNGED, then the Debtors have the right to object on other grounds to the claim(s) (or to any other claims you may have filed) at a later date. You will receive a separate notice of any such objections.

You may participate in a hearing telephonically provided that you comply with the Court's instructions (including, without limitation, providing prior written notice to counsel for the Debtors and any statutory committees), which can be found on the Court's website at <a href="www.nysb.uscourts.gov">www.nysb.uscourts.gov</a>.

If you wish to view the complete Objection, you can do so on the Court's electronic docket for the Debtors' chapter 11 cases, which is posted on the internet at www.nysb.uscourts.gov (a PACER login and password are required and can be obtained through the PACER Service Center at <a href="https://www.lehman-docket.com">www.pacer.psc.uscourts.gov</a>), or for free at <a href="https://www.lehman-docket.com">https://www.lehman-docket.com</a>. If you would like to request a complete copy of the Objection at the Debtors' expense, please contact the Debtors' approved claims agent Epiq Bankruptcy Solutions, LLC toll-free at 1-866-879-0688.

If you have any questions about this notice or the Objection, please contact Debtors' counsel, John O'Connor, Esq., at 214-746-7700. CLAIMANTS SHOULD NOT CONTACT THE CLERK OF THE BANKRUPTCY COURT TO DISCUSS THE MERITS OF THEIR CLAIMS.

DATED: September 13, 2010 New York, New York

WEIL, GOTSHAL & MANGES LLP 767 Fifth Avenue New York, New York 10153 (212) 310-8000 Shai Y. Waisman ATTORNEYS FOR DEBTORS AND DEBTORS IN POSSESSION

nited States Bankruptcy Court/Southern District of New York chman Brothers Holdings Claims Processing Center to Epiq Bankruptcy Solutions, LLC DR Station, P.O. Box 5076 lew York, NY 10150-5076	PROO	F OF CLAIM
eW FORE, 19 T 10130-3070  I Re:  chman Brothers Holdings Inc., et al.  Debtors.  Chapter 11  Case No. 08-13555 (JMP)  (Jointly Administered)  case No. of Debtor	Filed: USBC - Southern District of New York Lehman Brothers Holdings Inc., Et Al. 08-13555 (JMP) 0000036443	
OTE: This form should not be used to make a claim for an administrative expense arising fier the commencement of the case. A request for payment of an administrative expense any be filed pursuant to 11 U.S.C. § 503. Additionally, this form should not be used to make claim for Lehman Programs Securities (See definition on reverse side.)		
Name and address of Creditor: (and name and address where notices should be sent if different from Creditor)  James Ruismorio 1738 VIA DEL CEY	Claim Check this box to indicate that this claim amends a previously filed claim.  Court Claim  Number:	DEFERSED COMPENSATION PLEVATED TO YEAR-END
SOUTH PASADENA, CA 91030 QUISMORIO P Telephone number: 323-254-4976 Email Address: YAHOO, COM	(If known) Filed on:	COMPENSATION MARE 2003 THROUGH 2007 RELATED TO RSW CRANTS
Name and address where payment should be sent (if different from above)  Telephone number: Email Address:	Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  Check this box if you are the debtor or trustee in this case.	MEVER DISTRIBUTED
1. Amount of Claim as of Date Case Filed: \$  If all or part of your claim is secured, complete Item 4 below; however, if all of your claitem 4.  If all or part of your claim is entitled to priority, complete Item 5.  If all or part of your claim is entitled to priority, complete Item 5.  If all or part of your claim is entitled to priority, complete Item 5.  If all or part of your claim is based on a Derivative Contract.*  Check this box if all or part of your claim is based on a Derivative Contract.*  The Your Claim is Based on Amounts owed pursuant to Either Or A Guarantee of Interest of Interest of A Guarantee of Interest	Culci - Speeky application from British	
Nature of property or right of setoff:  Real Estate  Motor Vehicle  Describe:  Annual Interest Rate  Annual Interest Rate  Amount of arrearage and other charges as of time case filed included in secured  S  Basis for perfection:  Amount of Secured Claim: S  Amount Unsecured: S  Amount Of Claim that qualifies as an Administrative Expense under 11 U.S.  (See instruction #6 on reverse side.)	% claim, if any: .C. §503(b)(9): \$	U.S.C. § 507(a)().  Amount entitled to priority:  \$
7. Credits: The amount of all payments on this claim has been credited for the purp 8. Documents: Attach redacted copies of any documents that support the claim, suc orders, invoices, itemized statements of running accounts, contracts, judgments, mortg Attach redacted copies of documents providing evidence of perfection of a security into neverse side.) If the documents are voluminous, attach a summary.  DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY SCANNING.  If the documents are not available, please explain:	tages and security agreements.  Serest. (See definition of "redacted"  BE DESTROYED AFTER	OCT 0 5 2009
Date:  9/16/09  Signature: The person filing this claim must sign it. Sign and print nar person authorized to file this claim and state address and telephone numb above. Attach copy of power of attorney, if any.  TAMES QUISMORIO  Penalty for presenting fraudulent claim: Fine of up to \$500,000 cm.	win-	COLUMN STATE OF THE STATE OF TH

